

03-07-07

TWOAC (I)

PTO/SB/64 (07-05)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT  
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)

30618 (23-0349)

First named inventor: Walter Lockhart

Application No.: 10/665,681

Art Unit: 3634

Filed: September 18, 2003

Examiner: Alvin C. Chin Shue

Title: EMERGENCY LADDER SYSTEM

Attention: Office of Petitions

**Mail Stop Petition**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

FAX (571) 273-8300

NOTE: If information or assistance is needed in completing this form, please contact Petitions  
Information at (571) 272-3282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or  
action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration  
date of the period set for reply in the office notice or action plus an extensions of time actually obtained.

**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications  
filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

**1. Petition fee**

☒ Small entity-fee \$ 750.00 (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

☐ Other than small entity - fee \$ \_\_\_\_\_ (37 CFR 1.17(m))

**2. Reply and/or fee**

A. The reply and/or fee to the above-noted Office action in  
the form of \_\_\_\_\_ (identify type of reply):

- ☐ has been filed previously on \_\_\_\_\_  
☐ is enclosed herewith.

03/08/2007 AWONDAF2 00000055 10665681

01 FC:2501

B. The issue fee and publication fee (if applicable) of \$ 700

700.00 01

- ☐ has been paid previously on \_\_\_\_\_  
☒ is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.


03/08/2007 RHEBRAH 00000001 10665681 750.00 01  
01 FC:2501

## 3. Terminal disclaimer with disclaimer fee

- ☐ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ \_\_\_\_\_ for a small entity or \$ \_\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

<p><u></u> Signature</p> <p><u>Jeffrey A. Proehl</u> Typed or printed name</p> <p><u>Woods, Fuller, Shultz &amp; Smith, P.C.</u> Address</p> <p><u>P.O. Box 5027, Sioux Falls, SD 57117-5027</u> Address</p>	<p><u>March 6, 2007</u> Date</p> <p><u>35,987</u> Registration Number, if applicable</p> <p><u>605-336-3890</u> Telephone Number</p>
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- Enclosures: ☒ Fee Payment
- ☐ Reply
- ☐ Terminal Disclaimer Form
- ☐ Additional sheets containing statements establishing unintentional delay
- ☐ Other: \_\_\_\_\_

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

- ☐ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450
- ☐ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office as (571) 273-8300.

<p>_____ Date</p>	<p>_____ Signature</p> <p>_____ Typed or printed name of person signing certificate</p>
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Practitioner's Docket No. 23-0349/WFSS No. 30618

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appln. No. 10/665,681 )  
First Named Applicant: WALTER LOCKHART )  
Filed: September 18, 2003 )  
For: EMERGENCY LADDER SYSTEM )  
TC/A.U.: 3634 )  
Examiner: Alvin C. Schin Shue )

**Attention: Office of Petitions  
Mail Stop Petitions  
Assistant Commissioner for Patents  
U.S. Patent & Trademark Office  
Post Office Box 1450  
Arlington, VA 22313-1450**

**EXPRESS MAIL CERTIFICATE**

"Express Mail" Label Number EQ678362525US  
Date of Deposit: March 6, 2007

I hereby state that the following *attached* paper or fee

Petition for Revival  
Check for \$700.00 (Issue Fee)  
Check for \$750.00 (Revival Fee)  
Return Postcard

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. section 1.10, on the date indicated above and is addressed to: Mail Stop Petitions, Commissioner for Patents, Alexandria, VA 22313-1450.

Jeffrey A. Proehl